



Entered on Docket  
October 11, 2007

A handwritten signature in dark ink, appearing to read "Linda B. Riegle".

Hon. Linda B. Riegle  
United States Bankruptcy Judge

**LEWIS AND ROCA LLP**

3993 Howard Hughes Parkway, Suite 600  
Las Vegas, NV 89169-5996  
Facsimile (702) 949-8321  
Telephone (702) 949-8320

Susan M. Freeman AZ State Bar No. 004199  
Email: [sfreeman@lrlaw.com](mailto:sfreeman@lrlaw.com)  
Rob Charles NV State Bar No. 006593  
Email: [rcharles@lrlaw.com](mailto:rcharles@lrlaw.com)

*Attorneys for USACM Liquidating Trust*

**UNITED STATES BANKRUPTCY COURT  
DISTRICT OF NEVADA**

In re:  
  
USA COMMERCIAL MORTGAGE  
COMPANY,  
  
USA CAPITAL REALTY ADVISORS,  
LLC,  
  
USA CAPITAL DIVERSIFIED TRUST  
DEED FUND, LLC,  
  
USA CAPITAL FIRST TRUST DEED  
FUND, LLC,  
  
USA SECURITIES, LLC,  
  
Debtors.

Case No. BK-S-06-10725-LBR  
Case No. BK-S-06-10726-LBR  
Case No. BK-S-06-10727-LBR  
Case No. BK-S-06-10728-LBR  
Case No. BK-S-06-10729-LBR

**CHAPTER 11**

Jointly Administered Under Case No. BK-S-06-10725 LBR

**Affecting:**

☐ All Cases

**or Only:**

- ☒ USA Commercial Mortgage Company  
☐ USA Capital Realty Advisors, LLC  
☐ USA Capital Diversified Trust Deed Fund, LLC  
☐ USA Capital First Trust Deed Fund, LLC  
☐ USA Securities, LLC

**STIPULATED ORDER APPROVING WITHDRAWAL OF OBJECTION AND  
ALLOWANCE OF PROOFS OF CLAIM FILED BY DEBT ACQUISITION  
COMPANY OF AMERICA**

The Stipulation by and between the USACM Liquidating Trust (the “USACM Trust”) and Debt Acquisition Company of America V, LLC (“DACA”), to Withdraw the Objection and Allowance of Proofs of Claim filed by DACA [DE 3492 et seq.] came before the Court for consideration. No notice being necessary and good cause appearing, it is

- ORDERED the Stipulation is approved:
- The Objection of the USACM Trust to Proof of Claim Nos. 10725-00779, 10725-00780, 10725-00781, 10725-00783 and 10725-00904 [DE 3255], relating to the claims of those parties listed below (the “Claimants”) (which claims were assigned of record by the Claimants to DACA) is hereby withdrawn; and
- The following Proofs of Claim (filed by DACA following the assignment, and referred to herein as the “DACA Claims”) are allowed as priority wage claims in the priority amount stated, without prejudice as to the USACM Trust bringing a claim against the Claimants, or any of them:

<b>Claimant</b>	<b>Proof of Claim No.</b>	<b>Date Filed</b>	<b>Priority Amount</b>	<b>Unsecured Amount</b>
Pompeo J. Lombardi	10725-00780	10/27/2006	\$10,000.00	\$33,017.52
Dalton Maffett	10725-00904	10/27/2006	\$10,000.00	\$10,067.97
Oliver Puhr	10725-00783	10/27/2006	\$10,000.00	\$21,762.33
Tom Stewart	10725-00779	10/27/2006	\$10,000.00	\$27,037.93
Janet Szabo	10725-00781	10/27/2006	\$10,000.00	\$15,107.97

- USA Commercial Mortgage Company is directed to pay the allowed priority wage claim portion of the DACA Claims from the reserve;

1 • USACM Liquidating Trust reserves the right to further object to the  
2 unsecured portion of the DACA Claims or to any other claims filed by any of the  
3 Claimants;

4 • The hearing scheduled for October 15, 2007 is hereby vacated.

5 ###

6 PREPARED AND SUBMITTED:

7 **LEWIS AND ROCA LLP**

8  
9 By: /s/ RC (#0006593)  
10 Susan M. Freeman  
11 Rob Charles  
*Attorneys for USACM Liquidating Trust*

12 APPROVED

13  
14 DATED: October 10, 2007.

15  
16 **KIRBY & McGUINN, APC**

17 By: /s/ Dean T. Kirby, Jr.  
18 Dean T. Kirby, Jr.  
19 Leonard J. Ackerman  
600 B Street, Suite 1950  
San Diego, CA 92101-4515

20 -and-

21 **MICHELLE L. ABRAMS, LTD.**

22 3085 S Jones Blvd., Suite C  
23 Las Vegas, NV 89146  
*Attorneys for Debt Acquisition Company of America V, LLC*